King County	Department of Adult and Juvenile Detention All Divisions General Policy Manual	
	Chapter 1 **Administration and Personnel Management**	
1.03.012, Leave of Absence Without Pay	Approved By:	Director John Diaz
	Effective Date:	December 16, 2021
	Reviewed By:	PRC, HRDSM
Distribution:	Review Date:	November 30, 2021

Purpose
To establish guidelines regarding employee use of leave without pay.

Policy
It is the policy of the department to establish procedures for the use of leave without pay.

References
King County Code: 3.12.250 Leave of absence without pay
King County Personnel Guidelines 14.11 Leave of absence without pay
Applicable Collective Bargaining Agreements
King County Forms: Leave of Absence Without Pay (LWOP) Request Form

Definitions
Consolidated Omnibus Budget Reconciliation Act (COBRA): Federal program that allows workers and their families who lose their health benefits the right to choose to continue group health benefits provided by their group health plan for limited periods of time under certain circumstances such as voluntary or involuntary job loss, reduction in the hours worked, transition between jobs, death, divorce, and other life events. Qualified individuals may be required to pay the entire premium for coverage up to 102% of the cost of the plan.
Leave of Absence Without Pay (LWOP): An approved temporary absence from duty in a non-pay status requested by an employee.

A. General Guidelines
1. Requests for a leave of absence without pay (LWOP) must be approved prior to the commencement of leave.
2. Employees who are eligible for leave benefits may take a LWOP of 30 calendar days or less without losing county paid medical benefits. LWOP that exceeds 30 calendar days will cause the employee's county paid medical benefits to end on the last day of the month in which the LWOP started.
    a. Employees whose county paid medical benefits have ended will receive a COBRA election notice from the King County COBRA administrator regarding self-pay options for insurance coverage.
3. Employees requesting a LWOP for their own medical condition(s) must exhaust their sick, vacation, compensatory and holiday accruals prior to the LWOP.

a. LWOP for medical reasons must be accompanied with supporting documentation confirming the medical need for the leave.

4. Employees requesting a LWOP for non-medical reasons must exhaust their own vacation, compensatory and holiday accruals prior to the LWOP.
5. A LWOP may be revoked by the Director or Deputy Director if evidence indicates that it was requested and granted under false pretenses or the need for the LWOP no longer exists.
   a. Failure to return to work by the expiration date of the LWOP may result in discipline, up to and including termination.
6. The approval authority for LWOP is as follows:
   a. For leaves of absence of 30 calendar day or less:
      i. Facility commander (or designee) for the Adult Division
      ii. Division Director (or designee) for the Juvenile Division and the Community Corrections Division.
   b. For leaves of absence of more than 30 calendar days:
      i. Only the Department Director or Department Deputy Director can approve leave for all divisions.

B. Employee Responsibilities

1. Notify department human resources representative or immediate supervisor of the need for leave of absence without pay.
2. Discuss anticipated leave schedule and duration with human resources representative and/or immediate supervisor.
3. Complete Leave of Absence Without Pay (LWOP) Request form (available at https://www.kingcounty.gov/audience/employees/benefits/leaves.aspx).
4. Submit completed Leave of Absence Without Pay (LWOP) Request form and supporting documentation for the leave to designated department human resources representative.

C. Facility/Division Responsibilities

1. The facility Major or Division Deputy Director will review the completed Leave of Absence Without Pay (LWOP) Request with the Facility Commander or Division Director to determine the impact of the requested LWOP will have on operations and whether or not to grant the LWOP. The facility or division should consult with the DAJD Leave Management if needed, or if the request is due to a medical reason as the employee may qualify for protected family and medical leaves.
2. The Facility Commander or Division Director completes the Leave of Absence Without Pay (LWOP) Request form for leaves of 30 calendar days or less indicating whether the LWOP is granted or denied at the Facility/Division level.
3. If the requested LWOP is for 30 calendar days or less, approval by the Facility Commander or Division Director is sufficient. If the requested LWOP is for more than 30 calendar days the request will be forwarded to the Department Director or Department Deputy Director for approval or denial.

D. DAJD Human Resources Responsibilities:

1. DAJD HR staff will review the completed Leave of Absence Without Pay (LWOP) Request form. Information regarding the employee's current leave accruals are noted on the form and confirmation is provided of the employee's protected leave end date,

if applicable.

2. If the requested LWOP period is for more than 30 calendar days, DAJD HR staff will discuss the request with the Department Director or Department Deputy Director. The Department Director or Department Deputy Director will decide whether or not to approve the LWOP and complete the Leave of Absence Without Pay (LWOP) Request form.
3. After the Department Director and/or Department Deputy Director completes the paperwork, DAJD HR staff will notify the facility or division of the LWOP decision.
4. If the LWOP is due to medical reasons, DAJD HR staff and/or King County's Disability Services staff may contact the employee as part of the reasonable accommodation process.
5. DAJD HR staff will send a confirmation notice to the employee with a copy of the completed form. If the LWOP is approved, DAJD HR staff will also forward a copy of the form to DAJD Payroll.
6. A copy of the final LWOP form will be filed in the employee's personnel file and/or medical file.